

From: Caroline Pufalt <cpufalt@sbcglobal.net>
Sent: Tuesday, September 17, 2013 10:43 AM
To: Hoke, John
Subject: 10 CSR 20-7.031 Water Quality Standards

John Hoke, Missouri Department of Natural Resources
Water Protection Program
P.O. Box 176
Jefferson City, MO 65102-0176

RE: Proposed Amendments to 10 CSR 20-7.031 Water Quality Standards

Dear MR. Hoke

I am submitting this letter on behalf of the MO Sierra Club to comment on the Proposed Rulemaking for 10 CSR 20-7.031 Water Quality Standards.

The Sierra Club has approximately 8000 members in MO who value the natural streams, rivers, lakes and wetlands in our state. We expect Missouri's Department of Natural Resources to fully implement the Clean Water Act to help protect these water resources.

Thus we are pleased that the department has proposed the rule for 10 CSR 20-7 031 Water Quality Standard, which corrects some of the gross inadequacies in the state's current program. However, the proposed rule still fails to provide default fishable and swimmable designations to all waters of the state in Missouri as required by state law.

This gap in coverage is unacceptable. Fishable/swimmable use designations enable the application of scientific water quality standards to ensure the waters stay clean enough for fish, aquatic animals, and people. Most other states apply default fishable and recreational uses to their waters. This omission means that many of Missouri's streams, wetlands, lakes, and headwaters will lack protection for fish and wildlife, but also for people who use those waters. Why is Missouri DNR failing in this responsibility?

The maps used by DNR to inform the proposed rule are inadequate and have failed to capture many waterways and lakes in MO. Although the rule does add some additional protected streams and lakes it also fails to capture wetlands. We hope the agency, with citizen input, can correct both these omissions in another effort in the near future.

All streams, lakes and wetlands should be afforded some level of protection and plan for improvement afforded by the Clean Water Act. But the proposed rule would create a class of waterways which are denied this protection. This too needs to be corrected in a future rule.

We support the approval of the current proposed rule as a step forward in water protection in MO. But it is still seriously flawed and Missouri's rich heritage of streams, lakes and wetlands deserve better. We recommend that the agency approve the proposed rule, but only with an open acknowledgment of its shortcomings and a public commitment to further improvements. We look forward to working with the agency in that effort. Missouri has first class waters, they deserve first class protection.

Thank you for consideration of our comments.

Sincerely, Caroline Pufalt,
conservation chair, MO Sierra Club
7530 Delmar, University City MO 63130